

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: JAMES M. RHODES, ET AL.

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Art Unit: 3736

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Examiner: Kristin D. Rogers

For : SURGICAL INSTRUMENT

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I hereby certify that this correspondence is being electronically filed with the  
United States Patent and Trademark Office on

November 9, 2006

(Date of Deposit)

Stephen J. Manich

(Name of applicant, assignee, or Registered Representative)

/Stephen J. Manich/

(Signature)

November 9, 2006

(Date of Signature)

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant(s) hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated 08/10/2006 finally rejecting Claims 1-7, 9, 11-19 and 21-24 of the above-identified application.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was granted on \_\_\_\_\_ for month(s).
2. ☐ A Petition For Extension Of Time under 37 CFR 1.136 is attached hereto in triplicate.
3. ☐ A timely response to the final rejection has been filed.
4. ☒ Fee \$500.00: for filing of Notice of Appeal  
☐ Not required (fee paid in prior appeal)  
☒ Charge to Deposit Account No. 10-0750/DEP5054/SJM. Two additional copies of this Notice are enclosed herewith.  
☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment in connection herewith to Deposit Account No. 10-0750/DEP5054/SJM.

Respectfully submitted,

/Stephen J. Manich/

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Date: November 9, 2006